



Fairhaven Board of Selectmen

September 4, 2012 Meeting Minutes

Present: Selectman Brian Bowcock, Selectman Charles Murphy, Selectman Bob Espindola, Executive Secretary Jeffrey Osuch and Administrative Assistant Anne Kakley.

Also Present: Beth David of the *Fairhaven Neighborhood News*, Arielle Wittenberg of *The Standard-Times*, Cathy Melanson, Police Chief Michael Myers.

Chairman Brian Bowcock called the meeting to order in the Town Hall Banquet Room at 5:46 p.m.

At 5:46 p.m., the Board voted to enter executive session to discuss the appointment of a police sergeant. Mr. Murphy motioned. Mr. Espindola seconded. Vote was unanimous. Roll call vote: Dr. Bowcock in favor. Mr. Murphy in favor. Mr. Espindola in favor. (3-0).

The Board emerged from executive session at 6:31 p.m.

MINUTES

- The Board voted to accept the minutes of the **August 27, 2012** meeting, **open** session. Mr. Murphy motioned. Mr. Espindola seconded. Vote was unanimous. (3-0).
- The Board voted to accept the minutes of the **August 27, 2012** meeting, **executive** session. Mr. Murphy motioned. Mr. Espindola seconded. Vote was unanimous. (3-0).

EXECUTIVE SECRETARY'S REPORT

In his report, Mr. Osuch updated the Board on some important upcoming meetings and events:

- Wednesday, September 5 –
 - 9:00 a.m. – John Beauregard – Worker's Compensation
- Thursday, September 6 –
 - 7:30 to 9:00 a.m. – Forum at the Quest Center
 - 10:00 a.m. – Solar in Landfill
 - 1:30 p.m. – Wood School Job Meeting
- Tuesday, September 11 –
 - 3:30 p.m. – Mattapoisett River Valley Advisory at BPW
 - 4:30 p.m. – Mattapoisett River Valley Water District at BPW
- Thursday, September 13 –

- 1:30 p.m. – Wood School Job Meeting
- 6:00 p.m. – New School Committee meeting at Town Hall
- Monday, September 17 –
 - 9:30 a.m. – COA at Senior Center

NEW SCHOOL UPDATE

In a new school update, Mr. Osuch said that the Wood School had been completely demolished and debris had been removed. Over the next two to three weeks, he said, the project will consist of foundation and plumbing work.

LA LIBERTY REQUISITION

Mr. Osuch said that the contractor for the Town Hall brick work, LaLiberty, was nearing completion. LaLiberty had submitted a requisition to the town for about 80 percent of the work, in the amount of \$40,525.48. Mr. Murphy motioned to sign the requisition. Mr. Espindola seconded. Vote was unanimous. (3-0).

TOWN AUCTION

Mr. Osuch said that the BPW would be holding a Town Auction on Saturday, September 15, 2012 at 5 Arsene Way. He said that the BPW had requested Mr. Murphy for the event auctioneer. Mr. Murphy agreed to volunteer as auctioneer.

CHANGE OF OFFICER FOR PUB 99

The Board reviewed an application for a change of officers/directors at Pub 99, with the manager on record being Victor Ferreria. A public hearing was not required, and abutters did not need to be notified. Mr. Murphy motioned to approve the change of officers/directors for Pub 99. Mr. Espindola seconded. Vote was unanimous. (3-0).

CDBG APPROVALS

The Board reviewed and approved several items relative to the Community Development Block Grant work on the entrance to Cushman Park.

The first item was a bid from Pavao Construction Company for the CDBG project. Town Planner William Roth recommended awarding the bid to Pavao, in the amount of \$373,071.00. Mr. Murphy motioned to approve the bid. Mr. Espindola seconded. Vote was unanimous. (3-0).

The second CDBG item was approval of engineering services for the CDBG project. Based on the recommendation of Mr. Roth, the Board voted to award the project and sign the contract with GCG Associates. Mr. Murphy motioned. Mr. Espindola seconded. Vote was unanimous. (3-0).

The third CDBG item was to award a contract for grant administrative services to Breezeway Farm Consulting, Inc. Mr. Murphy motioned to approve. Mr. Espindola seconded. Vote was unanimous. (3-0).

SEAPORT ADVISORY LETTER

The Board reviewed a request from Mr. Roth to submit a letter to the Seaport Advisory Council, requesting their help in getting repairs done to the bulkheads at Union Wharf. (See Attachment A). The Board voted to authorize the chairman to sign the letter and send it to the Seaport Advisory Council. Mr. Murphy motioned. Mr. Espindola seconded. Vote was unanimous. (3-0).

SOLAR BYLAW PREVIEW

At 6:42 p.m., Mr. Espindola recused himself, citing his employment at the Acushnet Company, their land holdings in Fairhaven, and the potential for said land holdings to be impacted by a solar bylaw, as reasons for his recusal.

The Board reviewed a memo and a draft of a solar bylaw from Mr. Roth. Dr. Bowcock said that he thought the draft was a good start. He said that he was in favor of passing the bylaw onto the Planning Board for their review and required public hearings. Mr. Murphy agreed and motioned to send the bylaw draft to the Planning Board for their review. Dr. Bowcock seconded. Motion passed, with one abstention from Mr. Espindola.

Mr. Espindola returned to the meeting at 6:44 p.m.

TURKEY TROT

The Board reviewed a letter from Emilia Crotty requesting to hold the annual Turkey Trot to raise money for area food pantries, on Thursday, November 22, to start at 8:00 a.m. at Cushman Park. The Board was supportive of the request and voted to approve it. Mr. Murphy motioned. Mr. Espindola seconded. Vote was unanimous. (3-0).

OTHER BUSINESS

In other business:

- Dr. Bowcock reminded the public to get out and vote on Thursday, September 6, in the State Primary, and he listed the polling locations for the six precincts.
- Mr. Murphy thanked everyone who participated in the annual Our Lady of Angels Feast on Jesse St.
- Dr. Bowcock recognized the passing of Dan Mello, and offered the Board's condolences to Mr. Mello's family.
- Dr. Bowcock wished Curtis Lopes a happy birthday.

At 6:48 p.m., Mr. Murphy motioned to enter into Executive Session to discuss the Brown and Caldwell contract, a neighborhood dispute, and the health of a police officer, not to reconvene into open session. Mr. Espindola seconded. Vote was unanimous. Roll call vote: Mr. Murphy in favor. Dr. Bowcock in favor. Mr. Espindola in favor. (3-0).

Respectfully,

Anne Kakley

Selectmen's Secretary

(Minutes approved 9/17/2012)



**Town of Fairhaven
Massachusetts
Office of the Selectmen**

40 CENTER STREET
FAIRHAVEN, MA 02719

TEL: (508) 979-4023
FAX: (508) 979-4079

September 4, 2012

Louis Elisa
Executive Director
Seaport Advisory Council
40 Center Street
Fairhaven, MA 02719

RE: Union Wharf Emergency Bulkhead Repairs

Dear Mr. Elisa:

I am writing you this letter to request that the Seaport Advisory Council (SAC) consider funding the above referenced project as an emergency within the current fiscal year. The deterioration at Union Wharf has gotten to a point where the Town considers it an emergency. Numerous sink holes have occurred due to undermining and holes within the bulkheads. The Town has used concrete to shore up the sink holes and over the years, has had steel plates welded onto the bulkhead to patch some of the holes. However, these were temporary fixes and we were advised that additional plates cannot be added because there is not suitable surface area to weld any more plates.

The Town has a design for the rehabilitation of Union Wharf, which was generously funded by the SAC in 2009. The overall rehabilitation project has been on file with the SAC since 2010. The permit process is currently under way and we anticipate having the various decisions by February of 2013, which means bidding, and award of a contract, could be accomplished by April 2013. Therefore; construction could easily commence within the current fiscal year. The project can be broken into phases with the East and South bulkhead replacement being the first phase. The estimated cost for Phase 1, which would be to replace the East and South bulkheads, is \$1.8 million dollars. Phase 2, the West bulkhead is an additional \$2.7 million dollars. The East and South bulkheads are the most critical ones to be replaced. A cost estimate, plan and photo sheet are attached.

Union Wharf is home to 12 lobster/small fishing vessels (45' and under) and 12 large fishing vessels, plus numerous transient vessels. This represents approximately 60 jobs that maybe in jeopardy of having to leave if the Wharf becomes a hazard. As you are

aware, New Bedford Harbor is currently well over capacity for the existing fishing fleet, removal of this facility will only add to the chaos.

The south bulkhead is the most in need of repair and is used as an area to accommodate fishing vessels for hourly appointments to do small repairs or to bring on gear. The appointments are up to 4 hours. This allows the fishing industry to reduce cost and provide outside support businesses to do their business in a cost effective and efficient manner. While at the Wharf, vessels are supported by numerous businesses, such as welding, ice companies, steel companies, rigging, electronics, bait companies, etc. When you look at crews of the fishing vessels and you add the support people you're well above the 60 people mentioned above.

Union Wharf also offers the public access to the water. The south side also offers a vista of the harbor and the hurricane barrier. Often times you will see people watching boat traffic, enjoying the SW breeze and fishing.

Your assistance with this request is greatly appreciated.

Sincerely,

Dr. Brian K. Bowcock
Chairman, Board of Selectmen

cc: Lieutenant Governor Timothy P. Murray
Sen. Mark C. Montigny
Rep. William Straus
Jeff Osuch, Fairhaven Executive Secretary
William Roth, Planning and Economic Development Director
File



West Side - Steel Bulkhead at South Corner



Broken Piling



West Side - Granit Bulkhead



Asphalt Patched Sinkhole



South Side – Steel Bulkhead



Concrete Patched Sink Hole

